

**REMARKS**

Claims 1-20 remain pending in the instant application. Claims 1-20 presently stand rejected. Claim 6 is amended herein. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

*Claim Rejections – 35 U.S.C. § 102*

Claims 1-14, 16, and 18-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,324,608 B1 to Papa et al. ("Papa").

A claim is anticipated only if each and every element of the claim is found in a single reference. M.P.E.P. § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the claim." M.P.E.P. § 2131 (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226 (Fed. Cir. 1989)).

Independent claim 1 recites, in pertinent part, "wherein the first processor is enabled to communicate with a peripheral device ... by transmitting data via the first network interface and the built-in network interface over the network communications link using a **network transmission protocol**." Applicants respectfully submit that Papa fails to disclose using a network transmission protocol to communicate between a processor and a peripheral device.

Papa discloses a method of removing and replacing data processing circuitry without powering down a computer. *Papa*, Abstract. However, Papa discloses processing circuitry removably coupled to each other via **buses** (e.g., host bus 202 and PC Bus 214) using high-density connectors (e.g., 180 pin connectors). For example, referring to FIGs 1 and 2, Papa discloses,

In one embodiment of the invention, the network interface modules 104 and the power modules 105 are connected to the CPU module 103 through an interconnection assembly module 209 ... which advantageously includes the backplane board 184 illustrated in FIG. 2. The interconnection assembly module electrically terminates and isolates the rest of the network server 100 from the **PC Bus local** to any given network interface module 104 ....

*Papa*, col. 5, lines 21-29 (emphasis added). Papa further discloses,

As briefly explained above with reference to FIGS. 3A through 3C, the CPU module 103 has a **high density connector** which is connected to the **high density connector 411** on the back of the backplane printed circuit board 184 when the CPU module is mounted ....

*Papa*, col. 6, lines 32-36. Thus, *Papa* discloses interconnecting processing circuitry (e.g., CPU module 103, network interface modules 104, and power modules 105) via buses using high-density connectors. However, *Papa* fails to disclose use of "network transmission protocols" to communicate between the CPU module 103 and network interface modules 104. Communications over traditional PC bus architecture of a computer, such as network server 100 disclosed in *Papa*, **do not use network transmission protocols**. Rather, PC buses generally use a combination of an address bus and a data bus, as opposed to encapsulating an destination address and data within a packet for transmission over a network, as is often done for network transmission protocols.

Consequently, *Papa* fails to disclose each and every element of claim 1, as required under M.P.E.P. § 2131. Accordingly, Applicants request that the instant § 102 rejection be withdrawn.

Amended independent claim 6 now recites, in pertinent part, "the communication link using a network transmission protocol." Independent claim 14 recites, in pertinent part, "transferring the messages between the processor and the peripheral device using a network transmission protocol." For the reasons discussed above in connection with claim 1, Applicants request that the instant § 102 rejections of claims 6 and 14 be withdrawn.

#### *Claim Rejections – 35 U.S.C. § 103*

Claims 15 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Papa* in view of U.S. Patent No. 6,067,407 to Wadsworth et al. ("Wadsworth").

To establish a *prima facie* case of obviousness there must be some suggestion or motivation to modify the reference or to combine reference teachings. M.P.E.P. § 2143. "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the

references are not sufficient to render the claims prima facie obvious. M.P.E.P. § 2143.01 citing *In re Ratti*, 270 F.2d 810 (CCPA 1959).

The Examiner acknowledged that Papa fails to disclose use of network transmission protocols comprising UDP or TCP/IP. *Office Action* mailed December 4, 2003, page 7, section 4. However, the Examiner cites Wadsworth as disclosing, "the TCP/IP module provides process steps for a protocol stack that has user datagram protocol (UDP)." However, the Examiner failed to provide any motivation for combining Wadsworth with Papa. Use of UDP or TCP/IP over the PC bus architecture disclosed in Papa would dramatically change the principle of operation of Papa. There simply is not motivation or suggestion to combine Wadsworth with Papa. Furthermore, the Examiner has not suggested, and Papa and Wadsworth do not teach, how UDP and TCP would be implemented to transfer messages between a processor and a peripheral device **over the PC bus architecture of Papa**. In contrast, the present invention provides network interfaces to couple each of a processor and a peripheral device to a communication link for transferring messages between the processor and the peripheral device using network transmission protocols.

Consequently, Wadsworth and Papa may not be properly combined under § 103. As such, the prior art of record fails to teach or suggest all elements of claims 15 and 17, as required under M.P.E.P. § 2143.03. Accordingly, Applicants request that the instant § 103 rejection of claims 15 and 17 be withdrawn.

Dependent claims 2-5, 7-13, 15-20 are patentable over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant §§ 102 and 103 rejections for claims 2-5, 7-13, 15-20 be withdrawn.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the

undersigned representative if the Examiner believes that an interview might be useful for any reason.

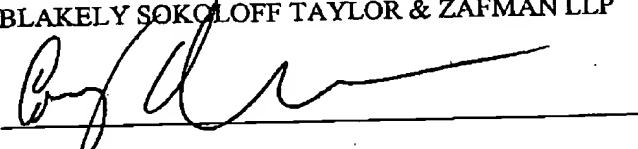
### CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: Jan 20, 2004

  
Cory G. Claassen  
Reg. No. 50,296  
Phone: (206) 292-8600

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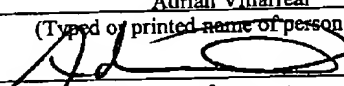
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Examiner: Huynh, Kim T.  
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